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Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Raymond Antoine Stokbroekx, et al.
Serial No. : 09/998,975
Filed : October 19, 2001
Title : Angiogenesis Inhibiting 5-Substituted-1,2,4-Thiadiazolyl Derivatives
Art Unit : 1624
Examiner : Truong, Tamthom Ngo

Attn: Office of Patent Legal Administration
Mail Stop: Petitions (Filing Date)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT OF STEVEN P. BERMAN

in support of

PETITION TO ACCORD CORRECT FILING DATE
37 C.F.R. 1.10

RECEIVED

AUG 18 2003

OFFICE OF PETITIONS

I, Steven P. Berman, being duly sworn, state as follows:

- 1) I am a citizen of the United States, resident in New Jersey, and hold the position of Associate Patent Counsel, Office of the General Counsel at Johnson & Johnson. I have been employed by Johnson & Johnson for more than the past twenty-five years.
- 2) I am a licensed attorney in the States of New Jersey, New York, and Ohio and a registered patent attorney before the United States Patent & Trademark Office (registration number 24,772).
- 3) As part of my duties as Associate Patent Counsel, Office of the General Counsel at Johnson & Johnson, I prepare and prosecute patent applications before the United States Patent Office.

4) On October 19, 2001, I reviewed and signed (signature where applicable) the following **correspondence**, a true copy of which I attest is attached hereto as **Exhibit A-1**:

Return Receipt Postcard	(1 page)
Express Mail Certificate	(1 page)
Utility Patent Application Transmittal	(1 page)
Fee Transmittal Sheet	(1 page, submitted in triplicate)
Preliminary Amendment	(8 pages)
Information Disclosure Statement	(4 pages)
PTO Form 1449	(1 page)
Specification	(21 pages)
Executed Declaration(s)	(8 pages)

5) The number of the "Express Mail" mailing label was placed on the Express Mail Certificate which listed generally the enclosed documents that constituted the aforementioned correspondence, prior to the original mailing by "Express Mail."

6) The aforementioned correspondence, attached hereto as Exhibit A-1, was deposited by Diane Hetzler, at my direction and request, under "Express Mail Post Office to Addressee" service of the United States Postal Service under Express Mail label number EL710839120US.

7) I do swear that all statements made in this Affidavit of my own knowledge are true and all statements made on information and belief are believed to be true. All statements in this declaration are made with the knowledge that willful false statements and the like if made in this Affidavit are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that any willful false statement may jeopardize the

